

Department of Correction and Rehabilitation Performance Plan

Contribution to Montgomery County Results

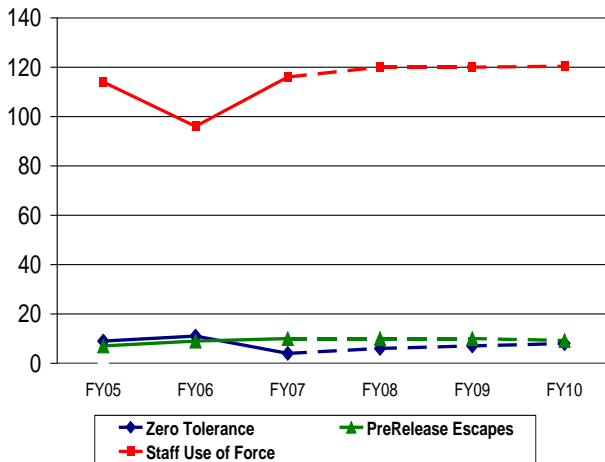
Result: Safe Streets and Secure Neighborhoods

Contribution of DOCR:

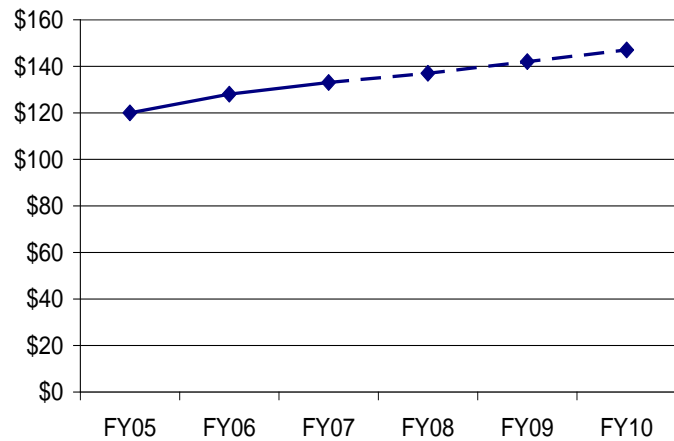
What DOCR Does and for Whom	How Much
Incarcerates inmates securely and constitutionally and provides effective supervision for those in pretrial and prerelease programs in the community	<ul style="list-style-type: none"> • \$62,369,220 (98.6%) • 626.53 WYs. • Total Projected Average Daily Population: 1,104. • Number of defendants enrolled in pretrial supervision: 2,200.
Continuously engages the communities surrounding each correctional facility (MCDC, MCCF, PRRS)	<ul style="list-style-type: none"> • Regular scheduled meetings with minutes on the County website. • Seek out community meetings for briefings.
Operates programs to improve inmate growth and development during custody and in anticipation of re-entry	<ul style="list-style-type: none"> • \$932,000 (1.4%) (Includes teachers on contract). • 8.9 WYs.
Overall	<ul style="list-style-type: none"> • Gross Operating Budget (FY08): \$63.3 million. • Approved Personnel Complement:: 579 positions; 642 WYs.

Performance¹

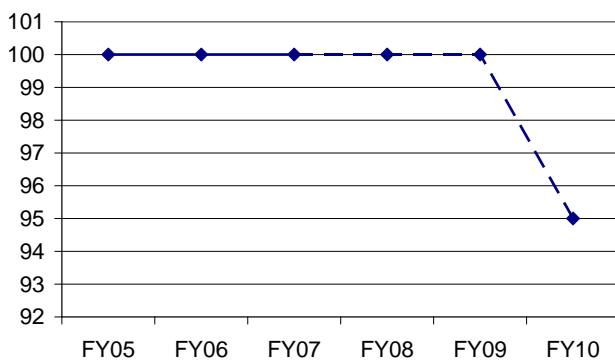
Number of Security Incidents



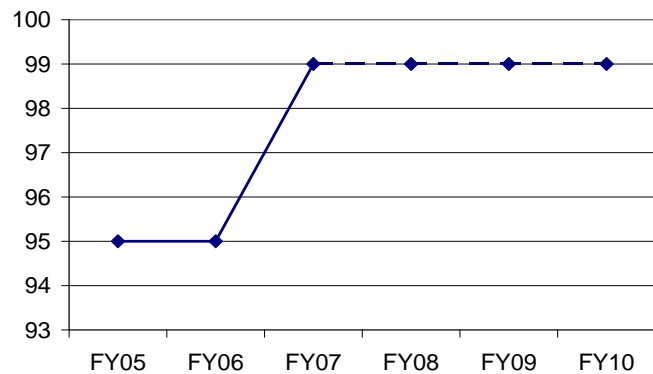
Per Diem Cost Per Inmate



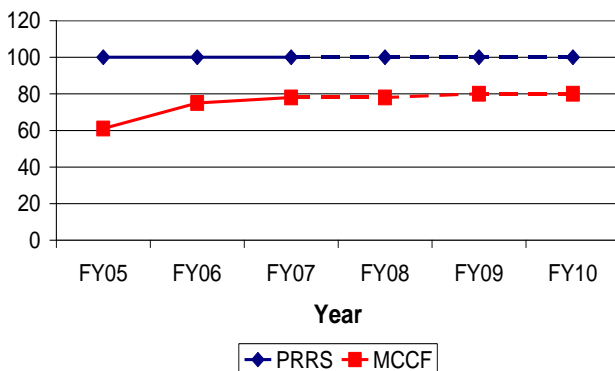
% Total Bed Needs Met



% Accreditation Standards Met



% of Prisoners Participating in Self Growth and Development Programs



Recidivism and Achievement

Under Construction

DOCR is in the process of developing these performance measures.

¹ Notes: (1) Forecasts assume no changes to the current level of effort. (2) “Zero Tolerance” incidents include: suicides, attempted and actual escapes from the jails (but not PreRelease), deaths, inappropriate releases from custody, assaults on staff by inmates, sexual misconduct by staff, and Prison Rape Elimination Act incidents – DOCR seeks no occurrences in these action areas.

The Story Behind the Performance

Contributing Factors:

- Meeting Accreditation Standards. The Department regularly engages in a series of rigorous national and State accreditations (national are voluntary – State is mandatory) which cumulatively assess and provide feedback on operations across several hundred standards of quality performance. All of the standards are designed to diminish correctional security problems, diminish litigation against the County, create a safer work environment for staff, and provide a safe/constitutional living environment for inmates within the context of a safe community for local residents. In 2007, DOCR completed all national standards at 100% - a unique accomplishment based on quality performance and attention to detail by all MCCF and MCDC staff members. PRRS is also fully accredited and includes performance measures as part of senior management work sessions. Pretrial Services does not have a set of national accreditation standards, but has developed their own statistical performance measures that form the basis of senior management work sessions twice monthly. They engage population management very directly.
- Daily Rigor on Basics. The Department maintains intensive attention to core operations, managing by group process with constant observation and review. Jail management teams (MCCF and MCDC) meet at the beginning of each work day (five days per week) to review operations, evolving issues, high impact issues, and cases and issues of concern. This is a process that ensures rigorous attention and immediate follow up as any issues are identified, and provides a forum for engaging issues. Core operations are a central aspect of the daily meetings as are any evolving or special situations. Participation includes all security, program, and operational areas of jail administration. PRRS follows the same focus on national accreditation standards. Pretrial Services attends to daily performance measures as a core element in all review processes. These measures are shared with the broader criminal justice community.
- Bed Space Challenge. Following an unprecedented, 2-month, 100-bed prisoner population growth in September/October of 2006, it appeared the criminal justice system might not have sufficient bed space by the end of 2006. This went far beyond any historic growth patterns and an explanation could not be developed based on any crime or arrest or jail booking growth. A Criminal Justice Coordinating Commission (CJCC) Jail Population Work Group (includes DOCR, Circuit Court, District Court, Office of the States Attorney, Office of Public Defense, Montgomery County Police, State Probation, and community members) was empanelled and recognized that space is impacted by process and operational considerations (especially pretrial) as much as by actual criminal behavior and arrests in the community.

Innovation

As a result, a new matrix for providing assessments to both courts on pretrial release was implemented, increasing the rate of positive recommendations from 17 to 33 percent with no increase in the Failure to Appear rate (FTA). This was done with assistance from community partners – George Washington University Criminal Justice Program and the US Justice Department – National Institute of Justice. Continued attention to process and efficiency of operations that did not contradict public safety is

the core principle of this group. This is now a standing committee and work group of the Criminal Justice Coordinating Committee. The most recent meeting was in January, 2008. Bed space needs moderated back to more normal levels in 2007. The process was invaluable.

Restricting Factors:

- Growing Criminal Severity and Complexity. The crimes and criminals in Montgomery County have become more serious and complex; and the criminal justice population trend line is edging upwards. This trend will increasingly challenge the Department's capability to prevent serious incidents in a proactive manner. There has been an increase in gang arrests involving groups and "pack robberies" with multiple defendants, and some growth in juveniles being admitted for serious offenses. These increases create classification, housing, and safety challenges as well as separation demands (in the limited space available) as requested by the Police and States Attorney. The situation is under control, but it is a newer dynamic that challenges daily operations and fosters the need for greater resolve for zero tolerance outcomes as well as collaboration with other public safety agencies.
- Growing Diversity of Prisoner Population. The prisoner population is increasingly diverse ethnically and culturally and, in particular, there has been a significant growth in gang members and Hispanic/Latino prisoners. The number of Hispanic/Latino Correctional Officers and social service staff (with bilingual capability) is inadequate to meet this changing demographic current in the correctional population. Gang-focused criminal behavior is aggressively engaged by the Police and the States Attorney, and the adult correctional system needs to continue its efforts to manage this population in a safe, secure, and humane manner. Staff cultural diversity is a component of that effort.
- Community Corrections. While escapes from Prerelease/community corrections are very low as a percent of admissions (less than 1.3% of 576 admissions in 2007), there is room for improvement. We need to research any trends, common factors, or predicting elements that would assist in keeping community correctional escapes to the lowest level possible while recognizing the deep commitment of the County to prisoner re-entry efforts for those returning to the community in a short period of time. These prisoners return to our community – not to other states or areas far away from this community.
- Overtime and Healthcare Costs as Core Elements of the DOCR Budget. Cost overruns are primarily impacted by security overtime and prisoner healthcare.
(1) Overtime Costs. Key security positions must be filled and key posts must never be left unfilled to keep our problem rate, assault rate, and violence rate low. This issue also directly impacts staff safety and larger issues of public safety in a maximum security environment. Overtime is being driven by coverage for hours when staff members are not available. On a 2080 hours/year paid base, the average Correctional Officer is available 1,546 hours when all sick leave, time for return to work after injury (at work or on personal time), training, and all other County granted leave categories are calculated. These categories represent the vast majority of all overtime expenditures in addition to lunch overtime pay decisions of a decade ago following legal hearings on shift work.

DOCR seeks reduced levels of overtime as a means of providing support for staffing all posts on a 24/7 basis. Some combination of staffing, overtime, and labor policy will drive this outcome.

(2) Health Care. Health care costs reflect meeting a community healthcare standard as well as all Maryland correctional standards for healthcare in a population that brings more complex healthcare problems. No lawsuits have been lost, few are even filed, and our healthcare outcomes set a national standard. Of all areas of correctional practice, correctional healthcare still has the most demanding and clear-cut standards of constitutional practice and clear court decisions. The Department expects greater healthcare costs as a function of health levels of those arriving in custody. DOCR sees more complex prisoner health care needs as follows: significant increase in orthopedic problems that require specialty care, hypertension and cardiac conditions, complicated diabetes, complicated wounds and infections including MRSA, hypercholesteremia (high cholesterol), and an increase in prisoner patients needing mandatory surgery in various medical specialty areas.

- Increased Demand for Beds. After several years of minimal stress on the system, the spike in demand for beds at the end of 2006 has recast the issue of bed availability as a major concern. While, as noted above, the Jail Population Work Group has managed to respond to the demand in the short run, these tactics will not adequately address the increase in demand in the long run. DOCR has included a full population projection and master confinement study and analysis as part of the FY09 budget submission. Thoughtful inferential projections are not an acceptable means to develop policy recommendations of very expensive housing options. It should be recalled that MCCF (Boyd's) was built to accommodate 224 additional beds on the current footprint and with all building systems (absent housing units/cells) in place.

What We Propose to Do to Improve Performance

- Continue Current Management Practices. The Department will maintain on-point daily attention to all standards of operation – there is no substitute for attention to this level of detail in quality corrections. There is little additional cost in a determined focus on implementing standard operating procedures and meeting all State and national accreditation standards that cover every aspect of correctional operations. Staff selection/retention will continue to be a priority to ensure high quality employees are selected and retained. While technology is important, nothing replaces quality staff in the work of corrections. The implementation and coming on-line of IJIS/CRIMS (Integrated Justice Information System-Correction and Rehabilitation Information Management System) will move DOCR into modern information methodologies to support safe, efficient, and quality daily operations.
- Diversity Recruitment. Refined techniques of diversity recruitment will be fostered to expand recruitment and hiring of Hispanic Correctional Officers and other Department staff. DOCR has won the County diversity award for its efforts in the past, but a greatly expanded focus towards seeking out and successfully recruiting well qualified Hispanics/Latino staff is mandatory for DOCR. Within the confines of resource availability, community outreach, expanded networking and community advertising, a language proficiency differential, and assistance of groups such as Montgomery College

will be utilized in parallel to the County Executive's diversity recruitment focus currently being led by the County Office of Human Resources.

- Construct MCDC Reuse Capital Construction Project. Construct the MCDC Reuse capital construction project that serves the entire criminal justice system - handling over 16,000 admissions a year in a Central Processing Unit, open constitutional District Court Commissioner hearings, swift return of Police Officers to their patrol duties after prisoner bookings, and providing over 200 jail beds in an improved physical plant. Options for this project are currently under review by the County Executive with the assistance of external consultants and a full range of criminal justice stakeholders.
- Address Culture of Work Attendance, Leave Utilization, and Return to Work Strategies. Engaging overtime must involve a County commitment to review the culture of work attendance, leave utilization, and return to work strategies. This issue will be discussed with the CAO, OMB, and OHR to determine the focus and action plan. Collaboration with OHR and labor relations coordination is a central element in responding to this area of attention, for staff availability is the core element of ongoing budget considerations. Resolution of this issue may involve additional full time staff to meet staffing requirements for security operations as well as changes in County practices and procedures.
- Develop Greater Pretrial Efficiencies. The Jail Population Work Group, with DOCR taking the lead, will examine every aspect of pretrial process to see where efficiencies can be enacted that provides bed space through improved process. The message is not simply quality operations but also collaboration in building efficient and speedy operations that foster reduced levels of bed space utilization. This is not a focus on more lenient outcomes or creating bed space through reducing standards of quality. That approach reduces community safety and creates a dysfunctional justice system. Our focus will be on improved process and the quality of decisions that foster better outcomes throughout the system. The absence of a highly skilled analytical capability within DOCR is a restricting factor and efforts for developing this internal capability are part of the FY09 budget submission to the Executive. DOCR needs the same level of planning and analytical capability as those Executive and Council groups that oversee and review accountability within this agency. DOCR must operate on an equal footing.
- Engage Issue of Recidivism. FY 08/09 will see the development of a methodology and process to study the issue of recidivism. DOCR will be one of the only county jail systems in the United States to seek to measure this outcome and understand how it can be studied in a short term, county focused correctional population. A grant from the Maryland Governor's Office of Crime Control and Prevention (GOCCP), awarded in January, 2008 to a noted and skilled criminal justice expert panel under the direction of Dr. Craig Uchida, Ph.D. (former Director of Criminal Justice Research at the National Institute of Justice and current member of the Criminal Justice Coordinating Commission) will assist in developing the first study on this measure in a county system in Maryland. Incarceration is more than locking people up in Montgomery County – approaches to positive post-release outcomes are a longstanding focus of executive and legislative efforts in this community.

Appendix A:

Budget

1. **Revenue from Federal Prisoners** - No changes are anticipated either in our funding base or in our sources of revenue. Federal prisoners will be accepted per County past practice (at \$80 per diem) as long as space is available for local prisoners. This is a solid source of revenue and assists federal colleagues given the absence of any federal detention space in this state. Maryland is the largest federal judicial area without a federal detention facility. Local needs come first and federal detainee holds for the U.S. Marshal in Baltimore/Greenbelt are completed on the first weekday of each month. Federal sentenced prisoners from the Bureau of Prisons returning to this area are also accepted on a case by case basis. The FBOP pays the County \$115 per diem. This revenue further assists with the local budget. Bed space is always available for County prisoners and this process, of long standing, assists federal colleagues, assists with local re-entry, and does not detract from any local program operations for County prisoners. Given the large number of criminal aliens (convicted) who pass through the County correctional system, DOCR remains attentive to the annual federal review of the State Criminal Alien Assistance Program (SCAAP) which generated over \$1 million for the County budget. The Department does this in concert with the State and County federal delegation and our County Office of Intergovernmental Relations. The Department holds no detention cases for ICE – they are held in other Maryland jurisdictions.
2. **Funding Sought for Master Confinement/Population Projection Study and Analyst** – Given the importance of monitoring inmate population growth (and its impact on future capital project decision making), a formal “Master Confinement” population projection study is needed. Given the period of time to move from analysis to capital construction and requests for State funding, we must be at least five (5) years ahead of this effort to ensure the availability of cell capacity for criminal justice agencies. A formal Master Confinement study begins this process in earnest (\$150,000 est.). DOCR has no skilled and trained analytical capability regarding program and population analysis. This lack places the Department at an ongoing deficiency compared to those organizations which analyze our work (Council Public Safety Committee, CountyStat, OMB, and other organizations). The time has come for DOCR to have a serious internal analytical capability (\$52,500 est. for the initial year).

Appendix B

Implementation/Timelines and Deliverables

1. **Continue Current Management Practices** - Deliverable accomplishments continue as noted above regarding daily attention to several hundred correctional operating standards that guide and direct our operations. These include practices already in effect including collaborative meetings, work sessions with decision-makers, intensive inspections, listening carefully to employees, and monitoring our own performance. The next phase is to move to the CRIMS methodology and bring DOCR into the 21st century through use of information technology to augment the people skills of staff with state of the art information technology.
2. **Correction and Rehabilitation Information Management System (CRIMS) –**
The CRIMS solution, consisting of 40,320 cross-data reference points, will maximize the operational effectiveness of all divisions of DOCR. The CRIMS solution will provide specific technology improvements for all jail management functions (i.e., Booking, Housing and Records, Pre-Trial Services, Pre-Release and Re-entry Services, Food Services, Medical, Mental Health, Accounting, Training, Staff Scheduling, Biometrics and Photo ID), allowing for a safer, better informed, and more productive correctional staff. The following elements are planned for completion within the next six (6) months:
 - Finalize CRIMS contract with vendor - March 2008;
 - Joint Application Development sessions/Requirements Gap Analysis - May 2008;
 - Booking Solution Implementation (end-to-end Central Processing Unit automation) - June 2008;
 - Network Live Scan (NLS) fingerprinting implementation with State of Maryland – June 2008;
 - Initiate Jail Management System Implementation - July 2008.
3. **Diversity Recruitment** - This relates to the major goal of expanded recruitment and hiring of Latino/Hispanic Correctional Officers:
 - Complete developments of a recruiting poster focused toward the Latino/Hispanic community – February 2008;
 - Printing and distribution of the poster to school/college sites, members of the Hispanic Chamber of Commerce, and other community based sites – April 2008;
 - Meetings to develop recruitment relationship with Montgomery College – February 2008;
 - Completion of the OHR facilitated diversity recruitment project and completion of new recruiting strategies – March 2008;
 - Review of outputs to date on impacting applications – this is the initial focus of effort – May 2008;
 - Broad participation in job fairs reflecting the diversity of Montgomery County.
4. **MCDC Reuse Project – Advancing the Project**
 - Completion of review of all options by the County Executive - May 2008;

- Working with County departments and offices to proceed to implement the decision of the County Executive regarding the Reuse project and its options – May 2008.

5. Develop Greater Pretrial Efficiencies - The work/performance plan for DOCR fully recognizes the strong data relationship between a robust pretrial program and serious efforts at population management. PreTrial Services helps moderate the population in a jail setting through responsible and safe support to the Courts with pretrial assessments and supervision of persons who might have otherwise remained in jail awaiting disposition of their cases. The following action elements are part of this program:

- Review of the new Expeditor position to date – January/February 2008;
- Reviewing expeditor options with other large jail pretrial programs to maximize expeditor intervention – February 2008;
- Refinement of pretrial data categories and data elements to isolate impact on the pretrial population - accomplished through monthly Performance Driven Management Meetings;
- Intensive staff training on Motivational Interviewing to engage client participation and sustain more complex caseloads is scheduled to be presented by a national expert– April 2008;
- Formalize jail population work group of the Criminal Justice Coordinating Commission and reporting to the group – April 2008;
- Collaborative meetings with judges of Circuit and District Court on process issues to facilitate greater pretrial utilization of services – April 2008.

6. Engage Issue of Recidivism - With funding from the Maryland Governor's Office of Crime Control and Prevention and full support from the DOCR, Justice & Security Strategies (a criminal justice consulting firm) will conduct the first ever comprehensive recidivism analysis of sentenced inmates leaving the local correctional system using a methodology developed by the Department. The study will find the rates and timing of subsequent re-offending - defined as arrests, convictions, violations (probation and parole), and incarcerations - for a sample of 300 male and 300 female sentenced offenders released in 2003/2004 using national, state, and local criminal record databases. This study will examine differences among subgroups by criminal history, sentence length, and background characteristics (age, gender, ethnicity, race, etc.) and will answer questions such as:

- What are the rates of rearrest, reconviction, and reincarceration for inmates sentenced into the Montgomery County Department of Correction and Rehabilitation (DOCR)?
- What were the original offenses for which these inmates were incarcerated, and what is the nature of the offense that resulted in their reconviction?
- What are the demographics of recidivism? Are there differences in socioeconomic status, race, and ethnicity? Are men more likely to be rearrested or reconvicted of a crime than women? Are younger persons more likely to recidivate?
- If an inmate did recidivate, what was the nature of the subsequent crime or crimes?
- For those released under conditional supervision – parole and probation - are recidivism rates higher and what proportion commits new crimes and technical violations?

Although this is not a program evaluation, the results will provide the Department and the larger criminal justice community with a better understanding of “offender flow” to target

intervention and programmatic efforts to diminish reoffending, to establish baselines for future evaluations of strategies, and to assist in managing jail bed space. As one quarter of the inmates in DOCR are from jurisdictions outside of Montgomery County, the study will shed light on interjurisdictional patterns of reoffending.

In January, the study will identify the sample of inmates in the study and will begin data collection in February. Using sophisticated statistical techniques of hazard modeling and survival analysis, the study will be complete by September and a final report provided by November 2008. The analysis will include a codebook and description of the study's methodology that will provide a better understanding of the study for other jurisdictions in Maryland that would like to conduct future recidivism analyses.

Appendix C

Data Development Agenda

Data development is a critical component for DOCR in several areas of agency practice. The following are noted as highest priorities:

- **Correct Distribution of Correctional Officer Positions and Overtime Dollars -** DOCR seeks to end a generation of cost overruns in the area of overtime to cover basic security staffing for the agency. It is a drain on agency time and on those who review our fiscal situation and process: OMB, the County Council, and now CountyStat. Seeking resolution of this matter requires collaboration with OMB, OHR on labor policy, the County Council Public Safety Committee, and the new CountyStat staff and program. This is a compelling data need that DOCR earnestly seeks to develop and implement within the next 12 months;
- **Basic Recidivism Data -** This has been a focus of DOCR and the County Council Public Safety Committee to push to the next level of correctional operations after security, constitutional practices, and quality operations have been achieved and sustained. A grant from the Governor's Office of Crime Control and Prevention, received by a noted national/local organization in 2008, will hopefully develop baseline data during 2008;
- **Population Management Data and Key Elements in that Process -** Given a slow but steady growth in the adult correctional population, the County must determine when it is most advantageous to complete the build-out of MCCF and add additional capacity. It is time for a full Master Confinement Study that includes a full population projection. This is a very complex study – requiring skill well beyond the Department's internal capacity - which should be completed by a neutral, professional, outside expert. Funding has been requested in the FY09 budget to issue an RFP for a highly qualified external vendor to complete this complex analysis. The second portion of this data need is the creation of an analytical component within DOCR and a first full time planner/analyst is part of the FY09 budget submission, for there are times when the Department is not fully sure of what data is most important for collection in a given situation;
- **Budget Development Data -** Refinement of budget needs and requests requires a deeper understanding of specific operational categories that should be addressed not only for OMB, the County Council, and CountyStat, but also for a greater departmental understanding as we seek to make resources last longer even in the face of inmate population growth. This is an iterative process that will be refined through summer, 2008 in close collaboration with OMB and CountyStat.

Addendum

1. Partnerships /Collaborations:

Criminal Justice Behavioral Health Steering Committee - The Steering Committee was established in 2000 to further develop a system that will positively impact the incarceration of the mentally ill as well as larger coordination issues between County and community in the areas of both mental health and substance abuse.

Montgomery County Correctional Facility Re-entry Coordinated Case Management Work Group - Many sentenced offenders are not eligible to move from the jail to the community-based PreRelease Center for community corrections re-entry planning. This ineligibility reflects their criminal history, record of dangerousness or existing warrants, detainers, or other legal holds. MCCF has established a new re-entry program involving serious collaboration with numerous stakeholders – County and community -- to review an offender departing within 90 days (not eligible for PRRS) to cover needs, linkages, and re-entry planning. Significant collaborative planning was necessary as this concept is largely new in county corrections in this country.

Pretrial and Jail Population Management Work Group - Due to efforts of DOCR and others, the CJCC membership and process were significantly altered and improved two years ago. Recently, under the new organization, a Pretrial and Jail Population Management Work Group was established to look at and develop action options regarding jail population levels.

Gang Task Force - Direct support is provided to law enforcement and HHS program efforts regarding participants in gang activities and efforts to refocus that behavior while in jail and in preparation for return to the community through community-based linkages.

2. Innovations:

Community Engagement – Linkages and Collaboration - Traditionally, corrections as a profession has not vigorously engaged the community in a collaborative manner. The innovation as noted above, regarding re-entry and behavioral health, is at all times to ask ourselves to evaluate any issue or policy matter in terms of community linkages. We seek out linkages in inmate operations, correctional health care, re-entry planning, minority recruitment, victim's issues, and all other sectors of correctional operations where there is a community voice. DOCR does not wait to be engaged by the community – we proactively go to the community for their involvement and support. The process may generate criticism on occasion, but we learn from that effort.

Correction and Rehabilitation Information Management System - We are taking this agency into the next generation of informational technology. CRIMS is part of IJIS (Integrated Justice Information System) and will provide IT applications for every single operating element of the County corrections system. The Department will move from pencil and paper to IT applications that will improve the efficiency of the correctional system. This is year seven of IJIS development and year three of CRIMS with the first applications to come on-line in the coming year. This effort has involved 64 DOCR staff members to date in screen development and process development. It will impact the work of 100% of DOCR staff members and many of our associated stakeholders.

Correctional Standards and Voluntary National Accreditations - There are 3360 jails in the United States. Only 125 hold full, national accreditation from the American Correctional Association. Two of those are the jails in Montgomery County. In addition, the PreRelease Center and both jails hold full national health care accreditation. Seven jails in the United States hold accreditation for Correctional Education. One of the seven is the Montgomery County Correctional Facility.

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